

**Congress of the United States**  
Washington, DC 20510

January 30, 2009

The Honorable Mark R. Filip  
Acting Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001

Dear Acting Attorney General Filip:

We are writing to urge you to launch a criminal investigation into the dealings of the Peanut Corporation of America. This company knowingly sold peanut products after tests revealed the presence of *Salmonella*, and these products have now been linked to the deaths of eight people and have sickened over 500 others.

Through its investigation, the Food and Drug Administration has determined that Peanut Corporation of America knowingly distributed potentially contaminated product after samples tested positive for salmonella more than a dozen times in the past two years to more than 100 consignee firms, for use as an ingredient in hundreds of different food products. In addition to knowingly selling these tainted products, Peanut Corporation of America also shopped for a laboratory that would provide the acceptable results they were seeking after initial tests found their products to be contaminated. This *Salmonella* outbreak involving peanut butter products is now linked to eight deaths and has sickened approximately 500 people across the country, forcing one of the largest food recalls in history.

It is clear that the behavior of the Peanut Corporation of America was egregious – harming hundreds of Americans and endangering many thousands more. We believe it is critical to determine whether the actions and omissions of this company rose to the level of criminal conduct. If crimes were committed, those responsible must be identified and held accountable.

Given the grave importance of this matter, we would appreciate a response and immediate action by the Department into launching a criminal investigation of the Peanut Corporation of America.

Sincerely,



PATRICK LEAHY  
United States Senator



ROSA DELAURO  
United States Representative